

1 Neil A. Goteiner (State Bar No. 083524)
2 Dennis M. Cusack (State Bar No. 124988)
3 Carly O. Alameda (State Bar No. 244424)
4 Farella Braun & Martel LLP
5 235 Montgomery Street, 17th Floor
6 San Francisco, CA 94104
7 Telephone: (415) 954-4400
8 Facsimile: (415) 954-4480
9 E-mail: ngoteiner@fbm.com, dcusack@fbm.com,
10 calameda@fbm.com

11 Attorneys for Plaintiff
12 COUPONS, INC.

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA
15 SAN JOSE DIVISION

16 COUPONS, INC.,

17 Plaintiff,

18 vs.

19 JOHN STOTTLEMIRE, and DOES 1-10,

20 Defendants.

Case No. 5:07-CV-03457 HRL

**STIPULATION AND [PROPOSED]
ORDER TO EXTEND DEADLINE FOR
CONDUCTING EARLY NEUTRAL
EVALUATION**

[N.D. ADR Local Rule 5-5]

21 Plaintiff Coupons, Inc. and Defendant John Stottlemire hereby submit this Stipulation to
22 extend the deadline for conducting the Early Neutral Evaluation ("ENE") session.

23 WHEREAS, Judge Lloyd previously extended the deadline to conduct the ENE session
24 from May 6, 2008 to June 30, 2008, and then extended the deadline again to July 18, 2008;

25 WHEREAS, the parties scheduled the ENE session for July 9, 2008;

26 WHEREAS, the parties intended to conduct the ENE session after this Court made its
27 decision on Defendant Stottlemire's motion to dismiss;

28 WHEREAS, the hearing on the motion to dismiss took place on May 13, 2008, but the
Court has not yet ruled;

WHEREAS, the parties continue to agree that the ENE session will be most beneficial if it
is held after the Court rules on the pending motion to dismiss;

1 WHEREAS, the appointed evaluator Harold McElhinny has agreed to make himself
2 available for an ENE session on a new date if the parties are able to obtain another extension in
3 order to await the Court's order on the motion to dismiss;

4 IT IS HEREBY STIPULATED by and between the parties hereto that the deadline for
5 conducting the ENE session will be extended to August 22, 2008.

6 Dated: July 1, 2008

FARELLA BRAUN & MARTEL LLP

8 By: /s/
Dennis M. Cusack

9
10 Attorneys for Plaintiff
COUPONS, INC.

11 Dated: July 1, 2008

13 By: /s/
14 John Stottlemire
Defendant, *pro se*

15
16 **ORDER**

17 Good cause appearing therefor, IT IS HEREBY ORDERED that the deadline for
18 conducting the ENE session will be extended to August 22, 2008.

19
20 DATED: _____

21 _____
The Honorable Howard R. Lloyd
22 Judge of the United States District Court

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

On this date I served the within document(s):

X **MAIL:** by placing a true copy thereof, addressed as set forth below and enclosed in a sealed envelope with postage thereon fully prepaid and deposited for collection and mailing with the U.S. Postal Service. I am readily familiar with the ordinary business practice of this office for processing mail.

Harold J. McElhinny
Morrison & Foerster
425 Market Street
San Francisco, CA 94105

I declare under penalty of perjury under the laws of the State of California that the above is true and correct. Executed in San Francisco, California on **July 1, 2008**.

Lawrence L. Coles